CENTRAL FAX CENTER

DEC 2:0 2005

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Application Serial No                       | 10/075,791                         |
|---------------------------------------------|------------------------------------|
| Filing Date                                 | February 12, 2002                  |
| Inventor                                    | Freddie W. Smith                   |
| Assignee                                    | Micron Technology, Inc.            |
| Group Art Unit                              | 2635                               |
| Examiner                                    | Edwin C. Holloway, III             |
| Customer No.                                |                                    |
| Attorney's Docket No.                       | MI40-340                           |
| Title: Communication Systems, Communication | n Apparatuses, Radio Frequency     |
| Communication Methods, Methods of Com       | municating Using a Radio Frequency |
| Communication System, and Methods           |                                    |
| Communication Device                        |                                    |

Mail Stop Fee Amendment **Assistant Commissioner for Patents** P.O. Box 1450 Alexandria VA 22313-1450

# **CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (571) 273-8300 on the date shown below:

- Transmittal Form (PTO/SB/21) 1.
- Fee Transmittal (PTO/SB/17) in duplicate 2.
- Two Terminal Disclaimers 3.
- Response to 9/20/2005 Office Action 4.
- Copy of partially initialed Form PTO-1449

Dated: 12/20/2005

Natalie King

(509) 624-4276 Telephone No.

Facsimile No.

(509) 838-3424

NUMBER OF PAGES IN FACSIMILE: 24

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | U.S. Pater                                                                                                                                                                                                                     | PTO/SB/21 (03-03) Approved for use through 04/30/2003. OMB 0651-0031 and Trademark Office; U.S. DEPARTMENT OF COMMERCE                                                                                                                                                                                               |  |  |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| Under the Paperwork Reduction Act of 1995, no person                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Application Number                                                                                                                                                                                                             | n of information unless it displays a valid OMB comtrol number.                                                                                                                                                                                                                                                      |  |  |  |  |
| TRANSMITTAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Filing Date                                                                                                                                                                                                                    | 2/12/2002                                                                                                                                                                                                                                                                                                            |  |  |  |  |
| FORM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | First Named Inventor                                                                                                                                                                                                           | Freddie W. Smith RECEIVED                                                                                                                                                                                                                                                                                            |  |  |  |  |
| (to be used for all correspondence after initial filing)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Art Unit                                                                                                                                                                                                                       | 2635 CENTRAL FAX CENTER                                                                                                                                                                                                                                                                                              |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Examiner Name                                                                                                                                                                                                                  | E. Holloway, III                                                                                                                                                                                                                                                                                                     |  |  |  |  |
| Total Number of Pages In This Submission                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Attorney Docket Number                                                                                                                                                                                                         | MI40-340 DEC 2-0 2005                                                                                                                                                                                                                                                                                                |  |  |  |  |
| ENCLOSURES (Check all that apply)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                      |  |  |  |  |
| Fee Transmittal Form  Fee Attached  Amendment/Reply  After Final  Aftidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority Document(s)  Response to Missing Parts/ Incomplete Application  Response to Missing Parts under 37 CFR 1.52 or 1.53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Drawing(s)  Licensing-related Papers  Petition  Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Addi Terminal Disclaimer (2-)  Request for Refund  CD, Number of CD(s) | After Allowance Communication to a Technology Center (TC)  Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  Other Enclosure(s) (please Identify below):  Copy of partially initialed Form PTO-1449 |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | OF APPLICANT, ATTORN                                                                                                                                                                                                           | EY, OR AGENT                                                                                                                                                                                                                                                                                                         |  |  |  |  |
| Firm or Wells St. John, P.S.  Individual Signature Date 12/20/05                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | :                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                      |  |  |  |  |
| CERTIFI                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | CATE OF TRANSMISSIO                                                                                                                                                                                                            | N/MAILING                                                                                                                                                                                                                                                                                                            |  |  |  |  |
| I hereby certify that this correspondence is being facsimile to first class mail in an envelope addressed to: Commissioner for                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | ensmitted to the USPTO or deposited or Patents, Washington, DC 20231 on                                                                                                                                                        | with the United States Postal Service with sufficient postage as this date: 12-20-2005                                                                                                                                                                                                                               |  |  |  |  |
| Typed or printed Natalie King                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u> </u>                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                      |  |  |  |  |
| Signature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                | Date 12/20/2005                                                                                                                                                                                                                                                                                                      |  |  |  |  |
| This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S/C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application from the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231. |                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                      |  |  |  |  |

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**2**003/024

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PTO/SB/17 (12-04v2)
Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

| Effective of                                                                                                                                                 | Effective on 12/08/2004. |                               | Complete if Known             |                      |                     |                         |               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------|-------------------------------|----------------------|---------------------|-------------------------|---------------|
| Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).                                                                                      |                          | Application Number            | Application Number 10/075,791 |                      |                     |                         |               |
| FEE TRANSMITTAL                                                                                                                                              |                          | Filing Date                   | 02/12/200                     | 02/12/2002           |                     |                         |               |
| For                                                                                                                                                          | <b>FY 20</b>             | 05                            | First Named Invent            | or Freddie V         | Freddie W. Smith    |                         |               |
|                                                                                                                                                              |                          | Examiner Name                 | kaminer Name E. Holloway, III |                      |                     |                         |               |
| Applicant claims small en                                                                                                                                    | uty status.              | See 37 CFR 1.27               | Art Unit                      | 2635                 |                     |                         |               |
| TOTAL AMOUNT OF PAYME                                                                                                                                        | NT (\$)                  | 260.00                        | Attorney Docket No            | . MI40-340           | )<br>               |                         |               |
| METHOD OF PAYMENT (                                                                                                                                          | check all t              | hat apply)                    |                               |                      |                     |                         |               |
| Check Credit Car                                                                                                                                             | и Пм                     | oney Order No                 | ne Other (plea                | se identify):        |                     |                         |               |
| Deposit Account Depo                                                                                                                                         | sit Account I            | Number: 23-0925               | Deposit Accou                 | int Name: Wells      | s St. Johr          | ı, P.S.                 |               |
| For the above-identified                                                                                                                                     |                          |                               |                               |                      |                     |                         |               |
| Charge fee(s) inc                                                                                                                                            | dicated bek              | ow .                          | Charge fe                     | ee(s) indicated i    | below, exce         | ept for t               | he filing fee |
| Charge any addi                                                                                                                                              | itional fee(s            | ) or underpayments of         |                               | y overpayment        |                     | •                       |               |
| under 37 CFR 1. WARNING: Information on this fo                                                                                                              | 16 and 1 1               | 7                             | ٠٠٠٠٠٠٠ ليــــــا             |                      |                     | vide cre                | dit card      |
| information and authorization on                                                                                                                             | PTO-2038.                |                               |                               |                      |                     |                         |               |
| FEE CALCULATION                                                                                                                                              |                          |                               | -                             |                      |                     | _                       |               |
| 1. BASIC FILING, SEARC                                                                                                                                       |                          |                               | DOLL 5550 F                   | WALDELATION          | LECC                |                         |               |
|                                                                                                                                                              | FILING F                 | ees sea<br>nail <b>Entity</b> | RCH FEES E<br>Small Entity    | MOITANIMAXE<br>Smatt | Entity              | _                       |               |
| Application Type                                                                                                                                             | Fee (\$)                 | Fee (\$) Fee                  | (\$) Fee (\$)                 |                      | 2 (\$)              | Fee                     | s Paid (\$)   |
| Utility                                                                                                                                                      | 300                      | 150 500                       |                               | 200 10               | -                   |                         | <del>.</del>  |
| Design                                                                                                                                                       | 200                      | 100 100                       | 50                            |                      | 55                  |                         |               |
| Plant                                                                                                                                                        | 200                      | 100 300                       | 150                           | · <del>-</del>       | 30                  |                         |               |
| Reissue                                                                                                                                                      | 300                      | 150 500                       | 250                           | 600 30               | 00                  |                         |               |
| Provisional                                                                                                                                                  | 200                      | 100                           | 0                             | 0                    | 0                   |                         |               |
| 2. EXCESS CLAIM FEES Fee Description                                                                                                                         |                          |                               |                               | <u> </u>             | ee (\$)             | <u>Smail E</u><br>Fee ( |               |
| Each claim over 20 (inc                                                                                                                                      |                          |                               |                               |                      | 50                  | 25                      | 5             |
| Each independent claim over 3 (including Reissues) 200 100                                                                                                   |                          |                               |                               |                      |                     |                         |               |
| Multiple dependent clai                                                                                                                                      |                          | (A) =                         | B-14 (8)                      |                      | 360<br>Jultiple Der | 180                     |               |
| <u>Total Claims</u> <u>E</u><br>- 20 or HP =                                                                                                                 | xtra Claim               | <u>s Fee(\$) F</u><br>x =_    | ee Paid (\$)                  | _                    | Fee (\$)            |                         | Paid (\$)     |
| HP = highest number of total da                                                                                                                              | aims paid for            |                               |                               |                      | 44.141              |                         |               |
|                                                                                                                                                              | xtra Claim               |                               | ee Paid (\$)                  |                      |                     |                         | <u></u>       |
| 3 or HP = x =<br>HP = highest number of Independent claims paid for, if greater than 3.                                                                      |                          |                               |                               |                      |                     |                         |               |
| 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer                    |                          |                               |                               |                      |                     |                         |               |
| listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50                                        |                          |                               |                               |                      |                     |                         |               |
| sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).                                                                                    |                          |                               |                               |                      |                     |                         |               |
| Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)  - 100 = / 50 = (round up to a whole number) x =                         |                          |                               |                               |                      |                     |                         |               |
| 4. OTHER FEE(S) Fees Paid (S)                                                                                                                                |                          |                               |                               |                      |                     |                         |               |
| Non-English Specification, \$130 fee (no small entity discount)  Other (e.g., late filing surcharge): Two Temples Disclaimers (\$130.00/Disclaimer) \$260.00 |                          |                               |                               |                      |                     |                         |               |
| Other (e.g., late filing surcharge): Two Terminal Disclaimers (\$130.00/Disclaimer) \$260.00                                                                 |                          |                               |                               |                      |                     |                         |               |
| SUBMITTED BY                                                                                                                                                 |                          |                               |                               |                      |                     |                         |               |
| Signature 1                                                                                                                                                  | <b>%</b>                 | -UD                           | Registration No. 39,8         | 833                  | Telephone           | 509.62                  | 4.4276        |
| Name (Print/Type) James D. St                                                                                                                                |                          |                               |                               |                      | Date (2             | 20                      | 05            |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Absandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| Assignee                                    | Micron Technology, Inc.            |  |  |
| Group Art Unit                              | 2635                               |  |  |
| Examiner                                    | Edwin C. Holloway, III             |  |  |
| Attorney's Docket No                        | MI40-340                           |  |  |
| Title: Communication Systems, Communication | n Apparatuses, Radio Frequency     |  |  |
| Communication Methods, Methods of Comr      | municating Using a Radio Frequency |  |  |
| Communication System, and Methods           |                                    |  |  |
| Communication Device                        | <del>-</del>                       |  |  |

# **RESPONSE TO SEPTEMBER 20, 2005 OFFICE ACTION**

To:

Mail Stop Non-Fee Amendment Assistant Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

From:

James D. Shaurette (Tel. 509-624-4276; Fax 509-838-3424)

Wells, St. John, P.S.

601 W. First Avenue, Suite 1300 Spokane, WA 99201-3828

Sir:

Responsive to the Office Action dated September 20, 2005, Applicant amends and remarks as follows:

#### **AMENDMENTS**